

Check -  
CR: 05-10184  
J. OITTOLE

**CERTIFIED COPY**  
**United States Court of Appeals**  
**For the First Circuit**

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No. 07-1071

UNITED STATES,  
  
Appellee,  
  
v.  
  
NOEL NEFF,  
  
Defendant - Appellant.

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**ORDER OF COURT**

Entered: October 3, 2007  
Pursuant to 1st Cir. R. 27.0(d)

A transcript of the May 10, 2006, Pretrial Conference, May 17, 2006 and May 18, 2006, Trial and December 13, 2006, Sentencing in Cr. No. 05-10184 (D. Mass.) was ordered from Court Reporter Shelly Killian on July 9, 2007 and a due date was set of September 7, 2007. On September 13, 2007, Court Reporter Shelly Killian was notified that the transcript had not been filed in this case and was asked to take action by September 27, 2007.

It does not appear that the court reporter has filed the transcript in the district court, or in the alternative, a motion in the court of appeals for an extension of time to complete the transcript. See Fed. R. App. P. 11(b)(1). The order has been pending for 87 days.

Accordingly, the court directs Court Reporter Shelly Killian to produce the transcript by **October 17, 2007**, or to show cause by **October 17, 2007** why she has failed to produce the transcript.

A certified copy of this order will be forwarded to the district judge in accordance with Fed. R. App. P. 11(b)(1)(D).

By the Court:

Richard Cushing Donovan, Clerk

*Richard C. Donovan*

By: \_\_\_\_\_  
Chief Deputy Clerk.

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I HEREBY CERTIFY THIS DOCUMENT  
IS A TRUE AND CORRECT COPY OF  
THE ORIGINAL ON FILE IN MY OFFICE  
AND IN MY LEGAL CUSTODY.

CLERK OF THE CIRCUIT COURT OF APPEALS  
BOSTON, MA

*Andrea Baum* Date: *10/3/7*

[Certified Copies: Honorable George A. O'Toole, Jr., Sarah Allison Thornton, Clerk, United States District Court for the District of Massachusetts]

[cc: Shelly Killian, Court Reporter, Deborah Scalfani, Court Reporter Supervisor, Messrs: Cox, Richardson and Ms. Chaitowitz]